United Nations S/2010/327

Security Council

Distr.: General
22 June 2010

Original: English

# Report of the Secretary-General on Eritrea

## I. Introduction

1. In paragraph 22 of its resolution 1907 (2009), adopted on 23 December 2009, the Security Council requested me to report within 180 days on Eritrea's compliance with the provisions of the resolution.

2. A note verbale was subsequently transmitted to the Permanent Mission of Eritrea to the United Nations on 22 April 2010 outlining the provisions of Security Council resolution 1907 (2009) and requesting information from the Government, by 7 June 2010, on the fulfilment of the provisions contained therein.

3. On 9 June 2010, the Government of Eritrea submitted a report on its compliance with resolution 1907 (2009) to the Secretariat.

## II. Background and key developments since the adoption of resolution 1907 (2009)

4. The Security Council, in resolution 1907 (2009), imposed a targeted sanctions regime on Eritrea for its failure to comply with resolution 1862 (2009) on the border dispute between Djibouti and Eritrea, as well as for its destabilizing role in the Somalia conflict. The resolution imposes an arms embargo on Eritrea and a travel ban and an assets freeze on individuals within the Eritrean political and military leadership who violate the arms embargo, provide support to armed opposition groups destabilizing the region or obstruct implementation of Security Council resolution 1862 (2009). The resolution followed a request by the Intergovernmental Authority on Development (IGAD) and the African Union for the Council to take such action.

5. The Security Council, by its resolution 1907 (2009), also expanded the mandate of the Somalia Monitoring Group to include monitoring and reporting on the implementation of the sanctions imposed on Eritrea. Member States were requested to report to the Security Council within 120 days on steps taken to implement the measures in the resolution. As at 10 June 2010, 26 Member States had provided this information, which was circulated to the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea (see annex).

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6. In a letter dated 19 January 2010, President Isaias Afwerki of Eritrea informed Member States of a number of his Government's concerns about resolution 1907 (2009) and outlined its position on Somalia, the border dispute with Djibouti and the border impasse with Ethiopia (S/2010/59, annex).

7. In the letter, President Afwerki requested that an independent body examine all allegations levelled against his Government and that his Government be provided the opportunity to defend itself against the allegations. In my reply to the President, I expressed hope that his Government would be afforded the opportunity to present its views during the Security Council discussions on the report of the Monitoring Group on Somalia in March 2010. I reiterated my personal commitment to carrying on a dialogue with him and his Government on the issues raised in his letter.

8. In furtherance of my good offices, the Department of Political Affairs held several meetings with the Permanent Representative of Eritrea to the United Nations in New York with the aim of maintaining dialogue on the issues raised in the resolution and advancing Eritrea's broader engagement with the international community, including identifying concrete steps that could be taken by Eritrea as a demonstration of goodwill. Such steps could include: allowing a United Nations fact-finding mission to the Eritrea-Djibouti border; pursuing dialogue with Djibouti, either bilaterally or within the compass of my good offices; engaging senior officials of the Somali Government with the aim of formally recognizing the Transitional Federal Government; and re-engagement with the African Union and IGAD. The Permanent Representative of Eritrea indicated that some of these steps are already being taken by his Government.

9. In its most recent report to the Security Council (S/2010/91), the Monitoring Group on Somalia found that, between March 2009 and March 2010, the Government of Eritrea had continued to support armed opposition groups in Somalia politically, financially, diplomatically and, allegedly, militarily. However, the report noted that by late 2009, Eritrea's support had either decreased or become less visible.

10. The Security Council Committee established pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea undertook a mission to the Horn of Africa from 15 to 17 April 2010. The aim of the mission was to raise awareness of the sanctions regime and to enhance implementation of the provisions of resolutions 1844 (2008) and 1907 (2009). The delegation travelled to Eritrea, where they met with Eritrean officials in Asmara on 24 April. During the visit, the Minister for Foreign Affairs presented a letter to the Chairman of the Sanctions Committee, dated 24 April 2010 (S/2010/225, annex), which was transmitted as an official document of the Security Council. The letter details the Government's position on resolution 1907 (2009), the Djibouti-Eritrea border conflict, the situation in Somalia and the Ethiopia-Eritrea border impasse.

11. On resolution 1907 (2009), Eritrea has maintained that the sanctions were based on unfounded allegations. Eritrea holds that the imposition of sanctions was in essence a political act, promoted by the United States of America and aimed at punishing it, inter alia, for publicly criticizing United States foreign policy in the Horn of Africa. The letter of 24 April 2010 asserted that the resolution would ultimately undermine prospects for peace and stability in the region.

12. Eritrea has denied that a border dispute exists with Djibouti. It also denies allegations that in March 2008 it deployed troops and military equipment to Ras Doumeira and Doumeira Island, or that a military confrontation took place between 10 and 12 June 2008, which resulted in deaths, injuries and the taking of prisoners of war on both sides of the border. At the same time, Eritrea claims that in February 2008, Ethiopia deployed, with the consent of Djibouti, long-range artillery weapons on the strategic highpoint of Mount Musa Ali where the borders of Eritrea, Ethiopia and Djibouti meet. Eritrea claims that the army of Djibouti subsequently launched a surprise attack on Eritrean units along the shared border. Eritrea rejected the visit of the United Nations fact-finding mission on the basis that, prior to it, the Security Council had issued a statement condemning Eritrea without ascertaining the facts on the ground in an impartial manner.

13. In its analysis of the Somalia conflict as reflected in the above-mentioned letter, the Eritrean Government holds that while the crisis has local origins, other factors have contributed to the cycle of violence, including "geopolitical considerations of major powers, military involvement of external forces, and ill-conceived peace initiatives". In Eritrea's view, those who bear primary responsibility for the ongoing suffering in Somalia are the warlords, Somalia's immediate neighbours and the policies of successive United States Administrations. In this respect, Eritrea maintains that the Security Council should launch a comprehensive investigation of the Somalia crisis with the view to finding a durable solution and ending impunity.

14. On 23 May 2010, the Government of Eritrea participated in the Istanbul Conference on Somalia and subscribed to the Istanbul Declaration, which reaffirmed the commitment of the international community to work closely with the transitional federal institutions of Somalia to break the cycle of conflict in that country. The Minister for Foreign Affairs of Eritrea gave a statement in which he outlined three underlying principles on which a lasting settlement of the Somali conflict should be based: first, there could be no military solution to the Somalia conflict, and more arms, training and military offensives would only intensify and prolong the conflict; second, priority must be given to an inclusive political process that does not exclude any party to the conflict; and third, only a Somali-owned and Somali-driven process could guarantee lasting peace in the country.

15. In his recent briefing to the Security Council on 19 May 2010 on the situation in the Horn of Africa, Mr. Ismael Omar Guelleh, the President of Djibouti, expressed concern that Eritrea's incursion remained the greatest national security concern of his Government and cautioned against any hasty assessment of Eritrea's renewed good faith. President Guelleh informed the Council that for the past year Eritrea had been engaged in a campaign to destabilize his country by training elements to sabotage infrastructure and create a climate of fear and tension. In a letter dated 28 May 2010 to the Security Council, the Government of Eritrea categorically rejected these allegations, stating that armed opposition in Djibouti had existed since its emergence as a nation in 1997 and had no connection with current tensions between the two countries. In the same letter, Eritrea reiterated its commitment to ongoing diplomatic efforts to find a negotiated settlement to the border dispute.

16. In a significant development, on 8 June 2010, I received a letter from the Prime Minister and Minister for Foreign Affairs of the State of Qatar transmitting a

copy of an agreement signed by President Afwerki of Eritrea and President Guelleh of Djibouti aimed at resolving the border conflict. The agreement entrusts the State of Qatar with undertaking mediation efforts and establishing a mechanism for the peaceful resolution of the border dispute and the eventual normalization of relations between the two countries. On the same day, the Minister for Foreign Affairs and International Cooperation of Djibouti, in a statement to the press, confirmed the withdrawal of Eritrean troops from Djiboutian territory, as a result of the Qatari mediation effort and the deployment of a Qatari observation force to monitor the border area between the two countries until a final agreement is reached.

17. On 9 June 2010, the Government of Eritrea submitted a letter in response to the note verbale on resolution 1907 (2009). The letter refers to the agreement reached between Eritrea and Djibouti on the border dispute and Qatar's mediation role. The original agreement signed by the Presidents of Djibouti and Eritrea and the "executive document of the agreement" is attached to the letter.

18. The "executive document" refers to the withdrawal of Eritrea from the contested areas and outlines a mechanism for the resolution of the dispute, including: the formation of a Committee that would appoint an international company to demarcate, with the consent of Eritrea and Djibouti, their common border; submission by the parties to Qatar a list containing the number and names of prisoners of war and missing persons; and monitoring of the border by Qatar until the final and binding decision is announced by the Committee on the settlement of the border dispute.

19. The letter also reiterates the Government of Eritrea's position on Somalia and on the Eritrea-Ethiopia border stalemate as outlined in the letter of 24 April 2010 presented to the Sanctions Committee during its visit to Asmara, as summarized above. In addition, the letter underscores Eritrea's readiness to engage in all peace efforts aimed at stabilizing Somalia. It refers to a number of meetings held on the sidelines of the Istanbul Conference on Somalia in which the Eritrean delegation participated, including a trilateral meeting with senior officials of the Transitional Federal Government and the Turkish Minister for Foreign Affairs, and another that included the United Nations, senior officials from the IGAD subregion, the African Union, Turkey and other bilateral partners.

## III. Observations

20. Despite the Government of Eritrea's longstanding positions on Somalia and Djibouti, it has recently taken a number of steps towards constructive engagement with its neighbours and the wider international community. This includes its reception of the Sanctions Committee in Asmara, its participation in the Istanbul Conference on Somalia, and its engagement in regional mediation efforts led by the State of Qatar on its border dispute with Djibouti. These are all encouraging developments.

21. I welcome Eritrea's endorsement of the Istanbul Declaration on Somalia, which reflects a notable departure from its previous policy of contesting the legality and legitimacy of the Transitional Federal Government and calling for the expulsion of the Africa Union Mission in Somalia (AMISOM) forces. In a similar vein, I am encouraged that Eritrea is now engaging in an effort to arrive at a peaceful resolution to the border conflict and normalize relations with Djibouti.

22. It should be noted that the United Nations ability to verify Eritrea's compliance with resolution 1907 (2009) is very limited. I hope that the new monitoring group on Somalia and Eritrea, which will be established in due course, will provide for independent monitoring and reporting on the implementation of measures imposed by resolution 1907 (2009), including providing relevant information to the Sanctions Committee's designation of individuals and entities that violate the provisions of the resolution.

23. I welcome recent reports that indicate the steps Eritrea is taking to restore its representation at the headquarters of the African Union in Addis Ababa and I encourage Eritrea to make a similar effort in re-establishing its membership in IGAD. Eritrea's enhanced engagement with regional organizations and international partners would be an important contribution to strengthening peace and stability in the Horn of Africa.

24. While recent developments represent a move in the right direction, I urge the Government of Eritrea to do more to provide evidence of its compliance with resolution 1907 (2009) and the practical measures set out in it.

25. Finally, I wish to underscore that long-term peace and stability in the Horn of Africa require a comprehensive approach to address the interlinked conflicts in the region. In this respect, progress in implementing the decision of the Ethiopia-Eritrea Boundary Commission and normalizing relations between the two countries would significantly contribute to promoting stability in the entire region.

# Annex

## Reports pursuant to paragraph 20 of resolution 1907 (2009) submitted by Member States to the Security Council Committee established pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea as at 10 June 2010

Austria
Andorra
Belarus
Belgium
Brazil
Canada
China
Czech Republic
Denmark
Finland
Gabon
Greece
Italy
Japan
Lebanon
Liechtenstein
New Zealand
Norway
Portugal
Russian Federation
Serbia
Slovakia
Switzerland
Turkey
United Kingdom of Great Britain and Northern Ireland
United States of America